

1 impact of this constitutional provision operating upon any
2 charter modification. It has also refrained thus far from
3 carrying out a contract obligation -- that is to say,
4 merger with the C&O Railroad -- which would undoubtedly
5 bring it within the four corners of this constitutional
6 section.

7 THE CHAIRMAN: Delegate Clagett.

8 DELEGATE CLAGETT: I don't believe you under-
9 stood my question. My question really is what study
10 was made by the Committee to determine the ability of
11 the Baltimore and Ohio Railroad to pay any such taxes if
12 and when this protection went out of the constitution
13 and they were required to pay it?

14 THE CHAIRMAN: Delegate Gallagher.

15 DELEGATE GALLAGHER: We did not inquire into
16 that. In addition to Judge Henderson, however, there
17 was another member of the Ross Commission, Mr. Walter
18 Lewis, who is quite familiar with this section, and it was
19 his estimate that the impact of the exemption was worth
20 several million dollars. We did not feel it was
21 incumbent upon us to look into the ability of the railroad